

EXHIBIT 9

VOLUME: I
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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 04-11948-RGS

SEYED MOHSEN HOSSEINE-SEDEHY,)
Plaintiff)
vs.)
ERIN T. WITHINGTON and)
THE CITY OF BOSTON,)
Defendants)

DEPOSITION OF MOHSEN HOSSEINI, a
witness called on behalf of the Defendants,
pursuant to the Massachusetts Rules of Civil
Procedure, before Kelly G. Patterson, a
Notary Public in and for the Commonwealth of
Massachusetts, at the Law Department of City
Hall, Room 615, Boston, Massachusetts, on
Friday, October 14, 2005, commencing at
11:23 a.m.

1 questions, "Where are you taking him,"
 2 "what's going on," and they told him to back
 3 off, back off.
 4 Q. Did you say anything to Steve Casterline?
 5 A. Not that I recall.
 6 Q. Did he say anything to you?
 7 A. No, ma'am, because prior to that I think we
 8 both kind of knew what was going on.
 9 Q. What do you mean by that?
 10 A. In December of 2003, one of the Teamster's
 11 named Joe Perry made allegations because I
 12 sent him home for disciplinary actions. He
 13 came back, while I had a job at the Hynes
 14 Convention Center, meanwhile I had a second
 15 job in Marriott Hotel. When he didn't show
 16 up at the Marriott Hotel, I had the steward
 17 and his brother call him to see where he is,
 18 "I assume you're late. Come on."
 19 Teamster's have seniority. I have to put
 20 them to work according to their seniority.
 21 For that day, I wanted to make sure I
 22 followed the seniority, so I had the steward
 23 and his brother call him to see where you
 24 are. Later on that day, I found out he went

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1 to the Hynes Convention Center and had the
 2 accusations of sexual harassment, that I
 3 sexually harassed him in front of others.
 4 Immediately, we called on the steward and
 5 took the statements, and we went to the
 6 police department, according to the
 7 direction of the company and the company's
 8 advice, that he had filed a harassment
 9 charge. When we went to the police
 10 department, we found out that such thing did
 11 not exist, so with that said, this whole
 12 thing was fresh in everyone's mind. Stephen
 13 Casterline, my superior, made sure he take
 14 all the proper measures of gathering
 15 information, getting different people,
 16 getting their side of the story of the
 17 occurrences of that day, this happened in
 18 December of 2003. The morning of the event,
 19 of my arrest, Joe Perry showed up for work.
 20 Again, he was No. 14 on seniority. I have
 21 to think of the seniority list now, make
 22 sure he was 14. With that said, Stephen
 23 Casterline asked him to leave.
 24 Q. This is on what date now?

1 A. This is on the morning of my arrest.
 2 Q. On March 22?
 3 A. On March 22. Stephen Casterline and the
 4 steelworker approached him and said at this
 5 point, his services are not going to be used
 6 on the show floor. I was not at the
 7 conversation, so I do not know exact
 8 exchange of words, but from what I
 9 understood, they asked him to leave, that if
 10 he has any other issues to bring it up
 11 through the union. This whole thing was
 12 after the fact that I had interviewed with
 13 Detective Schroeder, my superior, Stephen
 14 Casterline, and the company knew about it.
 15 We all were under the assumption that Mr.
 16 Joe Perry has filed sexual harassment
 17 charges against me. For that reason, they
 18 walked him off. They said "If you have a
 19 case against my foreman, I cannot have you
 20 both on the show floor. I need my foreman.
 21 Right now you need to leave," and they
 22 walked him out.
 23 Q. Stephen Casterline said this?
 24 A. Again, I was not in the conversation, but

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1 that's the story. So when I was arrested
 2 outside, standing against the car, Stephen
 3 Casterline didn't need to tell me anything,
 4 he knew what was going on.
 5 Q. I understand. Can we just back up a little
 6 bit so that I can --
 7 MR. BUTLER: Can we take a break?
 8 MS. LITSAS: Sure.
 9 MR. BUTLER: Is this a good time,
 10 though?
 11 MS. LITSAS: Just give me two
 12 minutes.
 13 MR. BUTLER: I can wait.
 14 MS. LITSAS: Okay.
 15 Q. Just so I can understand, Mr. Hosseini, I'm
 16 going to try to backtrack a little bit. So
 17 the sexual harassment charges initially that
 18 you were discussing, were they filed in
 19 December of 2003 by Joe Perry against you?
 20 A. No, ma'am. When we went to the police
 21 department, the same police department I
 22 ended up in in jail, we found out there are
 23 no cases. There are no files. There is
 24 nothing against me.

9 (Pages 30 to 33)

1 Q. What prompted you to go to the police
2 department in December of 2003?
3 A. New Jersey office directed Steve Casterline
4 that we needed to go down there and abide by
5 whatever laws there are.
6 Q. Why did the New Jersey office require you to
7 go to the police department?
8 A. They did not require, they suggested it.
9 Q. What prompted them to suggest you to go to
10 the Boston Police Department?
11 A. The fact that Mr. Joe Perry said that "I
12 have filed a sexual harassment claim against
13 Mohsen Hosseini."
14 Q. So Mr. Perry said that to you?
15 A. Not to me, to John Foley, who was at the
16 time the account manager for Epilepsy, was
17 the name of the show in December of 2003,
18 American Epilepsy Society.
19 Q. Okay, and he informed -- so it started with
20 Joe Perry, and they informed -- Joe Perry
21 informed the New Jersey office?
22 A. Informed John Foley who was at the Hynes
23 Convention Center, and at the time, I was
24 next door at the Marriott Hotel with the

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1 rest of the crew.
2 Q. Once that happened -- go ahead.
3 A. I just wanted to give you a little bit of
4 background. It takes, depending on the show
5 and the format of the show, it takes
6 anywhere from literally 12 hours to, as in
7 the case of an auto show, ten days to erect
8 a show. When the show is erected and opens
9 up, it takes a few days to run. In the case
10 of auto shows, usually they go over two
11 weekends to allow the public to go see the
12 brand new cars. In the case of medical
13 shows, private shows, they run two to three
14 days, to go through the course of the
15 seminar and so forth and so on, and after
16 that, we dismantle the show, one day, over
17 night, three days, whatever the requirement
18 of the show is. While American Epilepsy was
19 running, you don't need a crew. There is no
20 crew requirement there, so usually you have
21 your account manager, your customer services
22 personnel at the show site. We had another
23 show at the same time at Marriott Hotel
24 which we were moving in, so myself and the

1 crew were at the Marriott Hotel. Joe Perry
2 went to the Hynes Convention Center and
3 confronted the account manager of American
4 Epilepsy.
5 Q. How do you know this?
6 A. John Foley and Eric Howard, who at the time
7 was our director of account management. He
8 was in the room, also.
9 Q. Do you remember when this occurred?
10 A. December of 2003, ma'am. Exact date of it,
11 I'd have to look at the show schedule for
12 American Epilepsy and the tobacco show
13 before I can answer that question.
14 Q. But it was approximately December 2003?
15 A. It was December 2003. There was a snowstorm
16 we had and everything was shut down.
17 Q. Was that the very, very bad snowstorm we
18 had, a couple of feet of snow?
19 A. Yes, ma'am. All my trailers were buried.
20 We had to hire private contractors to unbury
21 the trailers, so no matter who showed up on
22 the show site, I wouldn't put them to work.
23 On that same day, I sent Joe Perry home.
24 Q. That was in December 2003?

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1 A. Yes.
2 Q. You sent Joe Perry home because --
3 A. On the day that no matter who showed up, I
4 put them to work. I did not care --
5 Q. Why did you send him home?
6 A. Because of not doing what he was supposed to
7 do.
8 Q. Was this before or after you learned that he
9 had filed sexual harassment charges?
10 A. After he made accusations that the charges
11 were filed, one or two days after that
12 event.
13 Q. Who did you speak to at the Boston Police
14 Department to find out if charges had been
15 made against you?
16 A. We went directly to the dispatcher or person
17 at the receptionist desk, whatever her name
18 is. We told her my name is this, I work for
19 this company, sexual harassment charge has
20 been filed, we've been told that a sexual
21 harassment charge has been filed against me
22 in the last couple of days. As far as we
23 know, and we went to know whatever steps
24 are, what we need to do, by the time the